UTAH DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES

Revision Date: February 28, 2002

SUBJECT: COMPUTER SOFTWARE LICENSES

RATIONALE: In conjunction with Department of Human Services Policy 06-03, the purpose of this policy is to (1) ensure employees of the Department of Human Services are aware of computer software license agreements and the State and Federal statutes, rules, and policies that govern the legal and appropriate use of licensed software; (2) establish Department policy and procedures to assure universal compliance with software license agreements and applicable State and Federal statutes, rules, and policies; and (3) establish Department policy and procedures to ensure the Department properly acquires, accounts for, and manages software and associated licenses.

I. Department Policy:

A. Policy Statements:

- 1. Each division, office, and institution of the Department of Human Services (the "Department") and its employees will comply with all computer software license agreements and Federal copyright and patent laws. This policy supplements any statutes, rules and policies established by the State, including Rule R365-3 on "Computer Software Licensing, Copyright, and Control" adopted by the State's Chief Information Officer pursuant to Utah Code Annotated § 63D-1-301.5.
- 2. Department employees, including supervisors and other members of Department management, who violate software licensing agreements or administrative rules and policies on computer software licenses (including this policy) may be subject to disciplinary action.
- B. Definitions: For the purpose of this policy, the following definitions will be used:
 - 1. Audit: A formal review of compliance with statutes, rules and policies concerning computer software and related documentation, and formal reporting of findings and recommendations.
 - 2. Computer Software: Commercial computer software that is sold, licensed, or leased to the general public at established market or catalog prices.
 - 3. Master License Agreement (MLA): A vendor agreement (contract) that enables the state to take advantage of volume discounts for software acquired by state agencies. May involve the assignment of an enrollment number to facilitate tracking by specific state agency. An example is Microsoft's State and Local Government Select Agreement, under which an enrollment number was assigned to the Department. May be used as source documentation for an audit.
 - 4. MLA Billing/Tracking System: Software used by the State Division of Information Technology Services for the purpose of tracking software orders under a Master License Agreement and subsequently billing state agencies for software ordered under a Master License Agreement. May be used as source documentation for an audit.

- 5. Operating System: The master control program. This includes Windows, Macintosh, NetWare, Linux, UNIX, MVS, etc.
- 6. Original Equipment Manufacturer: The firm that manufactured the computer. This includes Apple Computer, Compaq, Dell Computer Corporation, Gateway, Hewlett Packard Corporation, IBM, Sun Microsystems, etc.
- 7. Enrollment Number: The number assigned to a state agency by Microsoft when the state agency signs the State and Local Government Select Agreement with Microsoft. Used to track purchases made by the Department against the State and Local Government Select Agreement. See definition of Master License Agreement.
- 8. SKU: A product identifier that is unique to a vendor, as in Dell SKU.
- II. Procedures for Keeping Track of Software (Applies to each Division, Office, and Institution of the Department): Each division, office, and institution will:
 - A. Keep and maintain an inventory of all state-owned computer software, including the following applicable information: Agency, FINET account code, product identification number, product description, version number, payee, purchase order number, purchase order date, unit cost, extended cost, invoice number, invoice date, payment voucher number, and payment date.
 - B. Designate an employee and a backup employee to keep track of all computer software license agreements. The designated employees' names will be forwarded, by memo or email, to the Director of the Office of Technology.
 - C. Ensure that adequate legal, documented copies of computer software are available to meet the needs of the division, office, or institution.
 - D. Ensure that all computer software is removed from the storage media of any computer device before disposition or transfer of equipment, unless computer software and related documentation are included as part of the transfer. (NOTE: There is more than one method to effectively remove software, including uninstalling the software, reformatting the storage media, "ghosting", etc. For instructions on how to prepare a computer device for disposal or transfer, contact the Help Desk at 538-3440 or follow the link at www.dhs.innerweb.utah.gov to place a ticket for assistance.)
 - E. If software is transferred, damaged, or otherwise disposed of, the inventory, discussed in "II.A." above, will be annotated accordingly.
 - F. At the request of, or in cooperation with the Office of Technology or the Bureau of Internal Review and Audit, conduct a periodic audit to ensure compliance with this policy.

III. Microsoft Software – Specific Procedures for Controlling:

A. State-Level Procedures:

- 1. The State Division of Information Technology Services (ITS) has been designated as the sole enrollment authority for Microsoft software. ITS will handle all orders and order fulfillments, except where the operating system comes installed on a computer at the time of purchase from the original equipment manufacturer (OEM).
- 2. The Office of Technology will provide a list of authorized employees to ITS. Only the employees on this list may order Microsoft software for the Department.
- 3. To order Microsoft software, an authorized employee, from "III.A.2." must send an email and/or purchase order to ITS. The order must include the Department's enrollment number, agency, FINET billing information, quantity, Dell SKU, unit price, product name, and Microsoft part number.
- 4. ITS will receive and store all Microsoft hologram licenses by enrollment number.
- 5. The Office of Technology will receive and distribute Microsoft software to the division, office, or institution on whose behalf an order has been placed.
- 6. The Office of Technology will update information in the MLA Billing/Tracking System after every purchase.
- 7. ITS will bill the Department for Microsoft software, based on the FINET billing information provided from "III.A.3." above.

B. Department-Level Procedures:

- 1. The Office of Technology will order all Microsoft software for the Department, except where the operating system comes installed on a computer at the time of purchase from the OEM.
- 2. Each division, office, and institution will provide a list of authorized employees, by memo or email, to the Director of the Office of Technology. Only the employees on this list may authorize the order of Microsoft software for their respective division, office, or institution.
- 3. To order Microsoft software, an authorized employee from "III.B.2." above must send an email and/or purchase order to "DHS Software Orderbox" (NOTE: In GroupWise, "Orderbox" is the last name and "DHS Software" is the first name). The request to order must include FINET billing information, quantity, Dell SKU, unit price, product name, and Microsoft part number.
- 4. The Office of Technology will send an email and/or purchase order to ITS, with the Department's enrollment number and all of the information provided from "III.B.3." above.
- 5. The Office of Technology will receive and distribute all Microsoft software to the division, office, or institution that authorized an order.

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6. For those locations not supported by the Department, including the Ogden and Provo Regional Centers supported by ITS and specific locations supported by the Department of Workforce Services (DWS), an authorized employee from "III.B.2." above must send an email to ITS or DWS, whichever applies, to authorize the installation of the software. (NOTE: please refer to Agency Contacts at www.dhs.innerweb.utah.gov for ITS and DWS contact information.)

DATE: <u>02-28-02</u>

COMPLIANCE WITH THIS POLICY IS SUBJECT TO AUDIT BY STATE AND FEDERAL AUDITING AGENCIES.

Robin Arnold-Williams

Robin Arnold-Williams, Executive Director Department of Human Services